

Decision 05-02-043 February 24, 2005

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

City of San Diego, a Charter City, The
Redevelopment Agency of the City of San Diego,
a public entity, and Padres, L.P., a limited
partnership,

Complainants,

vs.

San Diego Gas and Electric Company, a
California Public Utility,

Defendant.

Case 04-03-025
(Filed March 10, 2004)

INTERIM OPINION EXTENDING STATUTORY DEADLINE

Pub. Util. Code § 1701.2(d) provides that adjudicatory cases shall be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending the deadline. In this proceeding, the 12-month deadline for resolving this matter is March 9, 2005.

The Administrative Law Judge (ALJ) issued her draft decision on December 14, 2004. Pursuant to Rule 77.7 of the Commission's Rules of Practice and Procedure, defendant filed comments on the draft decision, and two other entities have moved to intervene to file comments. Upon motion by complainants, and for good cause, the date for filing reply comments on the draft decision has been extended until February 1, 2005. This order extending the

statutory deadline may be necessary in order for the Commission to have sufficient time to fully consider the draft decision and the comments.

Therefore, good cause appearing, we extend the deadline for resolving this case by approximately four months, until July 8, 2005.

Under Rule 77.7(f)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of draft decisions that extend the deadline for resolution of adjudicatory proceedings. Accordingly, pursuant to Rule 77.7(f)(4), the otherwise applicable period for public review and comment is being waived.

Assignment of Proceeding

Geoffrey F. Brown is the Assigned Commissioner and Janet A. Econome is the assigned ALJ in this proceeding.

Findings of Fact

1. Pursuant to Pub. Util. Code § 1701.2(d), the current deadline for resolving this case is March 9, 2005.

2. The ALJ issued her draft decision on December 14, 2004. Pursuant to Rule 77.7 of the Commission's Rules of Practice and Procedure, defendant filed comments on the draft decision, and two other entities have moved to intervene to file comments. Upon motion by complainants, and for good cause, the date for filing reply comments on the draft decision has been extended until February 1, 2005.

3. This order extending the statutory deadline may be necessary in order for the Commission to have sufficient time to fully consider the draft decision and the comments.

Conclusion of Law

The current deadline for resolution of this proceeding, imposed by Pub. Util. Code § 1701.2(d), should be extended until July 8, 2005.

O R D E R

IT IS ORDERED that the current deadline for resolution of this proceeding, imposed by Pub. Util. Code § 1701.2(d), is extended to July 8, 2005.

This order is effective today.

Dated February 24, 2005, at San Francisco, California.

MICHAEL R. PEEVEY
President
GEOFFREY F. BROWN
SUSAN P. KENNEDY
DIAN M. GRUENEICH
Commissioners